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and SDH Services West, LLC*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

GARY DAVIS and SCOTT SCRIBNER,

Plaintiffs,

vs.

UNIVERSAL HEALTH SERVICES INC., a
Delaware Corporation; UHS OF DELAWARE,
INC., a Delaware Corporation; VALLEY
HEALTH SYSTEM, LLC, a Delaware Limited
Liability; SODEXO, INC. dba SODEXO USA,
a Delaware Corporation; SODEXO AMERICA,
LLC dba SODEXO USA, a Delaware Limited
Liability; SODEXO OPERATIONS, LLC dba
SODEXO USA, a Delaware Limited Liability
and SDH SERVICES WEST, LLC dba
SODEXO USA, a Delaware Limited Liability,

Defendants.

Case No.: 2:21-cv-00008-RFB-DJA

**STIPULATION AND [PROPOSED]
ORDER CONTINUING EARLY
NEUTRAL EVALUATION
CONFERENCE**

Defendants Sodexo, Inc., Sodexo America, LLC, Sodexo Operations, LLC and SDH Services West, LLC (collectively, “Sodexo”), Defendants UHS of Delaware, Inc. and Valley Health System, LLC (collectively, “UHS”) and Plaintiffs Gary Davis and Scott Scribner (collectively, “Plaintiffs”), by and through their undersigned counsel, hereby submit the following Stipulation and [Proposed] Order Continuing the April 2, 2021, Early Neutral Evaluation (“ENE”).¹

¹ Plaintiffs and Sodexo have stipulated (*see* ECF No. 14) that Sodexo will file a motion to compel the arbitration of Plaintiff Gary Davis’s claims after the ENE in the event the same is not successful. Plaintiffs and Sodexo further agree that Plaintiffs will not argue that Sodexo’s participation in the ENE constitutes waiver, or is conduct inconsistent with its right to compel Plaintiff Gary Davis’s claims to arbitration.

The client representative for Sodexo, J. Victor Waye, Vice President and Associate General Counsel – Legal, has a scheduling conflict that prevents his participation in the ENE conference currently scheduled for April 2, 2021. The Court has offered alternative dates for the ENE, including May 26, 28, 2021. All parties and their client representatives are available on these proposed alternative dates. The parties hereby request that the Court continue the April 2, 2021, ENE to either May 26 or 28, 2021, at the Court's convenience.

IT IS SO STIPULATED:

DATED this 18th day of March, 2021.

LAW OFFICES OF MICHAEL P. BALABAN

/s/ Michael P. Balaban

Michael P. Balaban
Nevada Bar No. 9370
10726 Del Rudini Street
Las Vegas, NV 89141
Attorney for Plaintiffs

DATED this 18th day of March, 2021.

LITTLER MENDELSON, P.C.

/s/ Wendy Medura Krincek

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*Attorney for Defendants UHS of Delaware,
Inc. and Valley Health System, LLC*

DATED this 18th day of March, 2021.

OGLETREE, DEAKINS, NASH, SMOAK & STEWART,
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/s/ Suzanne L. Martin

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America, LLC, Sodexo Operations, LLC, and SDH
Services West, LLC*

ORDER

IT IS ORDERED that the parties' stipulation is GRANTED. The ENE in this matter is rescheduled to 5/26/21 at 9:00 AM. IT IS FURTHER ORDERED that the pre-ENE status conference is rescheduled to May 25, 2021, at 3:00 PM. IT IS FURTHER ORDERED that the parties' ENE statements are due May 19, 2021. The parties are directed to review the Court's order at ECF No. 17 for directions on how to access the pre-ENE status conference and how to prepare the ENE statements.

IT IS SO ORDERED

DATED: 6:19 pm, March 22, 2021

BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE